

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 6, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-33599 - APPLICANT: LAKES CONGREGATION OF
JEHOVAH'S WITNESSES - OWNER: ARMONDO TULLY

**** CONDITIONS ****

The Planning Commission (4-2/se/gt vote) recommends DENIAL. Staff recommends APPROVAL subject to:

Planning and Development

1. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
2. All development shall be in conformance with the site plan and landscape plan date stamped 02/24/09 and building elevations date stamped 03/23/09, except as amended by conditions herein.
3. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
4. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
5. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
6. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
7. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.

8. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
9. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
10. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

11. Construct all incomplete half-street improvements on O'Bannon Drive and Lisa Lane adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
12. Extend public sewer in Lisa Lane to the northern edge of this site at a size, depth and location acceptable to the Collection System Planning section of the Department of Public Works. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
13. All landscaping and private improvements installed with this project shall be situated and maintained so as not to create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
14. Comply with the requirements of Las Vegas Municipal Code Chapter 4.32 Traffic Signal Impact Fee prior to the issuance of permits for this site.

15. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for a proposed one-story, 18-foot tall, 4,576 square-foot Church/House of Worship on 1.49 acres at the northeast corner of O'Bannon Drive and Lisa Lane. In addition to this application, the applicant has submitted a request for a General Plan Amendment (GPA-33597) to change the General Plan designation from DR (Desert Rural Density Residential) to PF (Public Facilities) and a Rezoning (ZON-33598) from U (Undeveloped) [DR (Desert Rural Density Residential) General Plan designation] to C-V (Civic). The proposed Church/House of Worship use will be compatible with the surrounding residential neighborhood and is a permitted use within the proposed C-V (Civic) zoning district and PF (Public Facilities) General Plan designation; therefore, staff recommends approval of this request.

BACKGROUND INFORMATION

| <i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i> | |
|--|---|
| 03/19/86 | The City Council approved a Petition to Annex (A-0009-85) the subject property as part of a larger request. The effective date of this Annexation was 03/26/86. |
| 11/23/98 | The City Council approved a request for a General Plan Amendment (GPA-0027-98) to amend a portion of the Southwest Sector of the General Plan on properties bounded by Holmby Avenue, Via Olivero Avenue, Rainbow Boulevard, and Durango Drive from R (Rural Density Residential) to DR (Desert Rural Density Residential). The Planning Commission and staff recommended approval of this request. |
| 04/06/05 | The Planning and Development Department administratively approved a Parcel Map (PMP-5279) for three residential lots at the northeast corner of O'Bannon Drive and Lisa Lane. The Parcel Map was never recorded. |
| 04/09/09 | The Planning Commission recommended denial of companion items GPA-33597 and ZON-33598 concurrently with this application. The Planning Commission voted 4-2/se/gt to recommend DENIAL (PC Agenda Item #33/dc). |
| <i>Related Building Permits/Business Licenses</i> | |
| There are no building permits or business licenses associated with this request. | |
| <i>Pre-Application Meeting</i> | |
| 01/23/09 | A pre-application meeting was held with the applicant where the submittal requirements of a Site Development Plan Review, Rezoning and General Plan Amendment were discussed. |

| <i>Neighborhood Meeting</i> | |
|------------------------------------|---|
| 03/09/09 | <p>A neighborhood meeting was held at 6:00 pm at the Sahara West Library, Board Room, located at 9600 West Sahara Avenue, Las Vegas, Nevada 89117. There were 12 members of the public, four representatives of the applicant and one member of the Planning and Development Department present.</p> <p>Questions from the public were as follows:</p> <ul style="list-style-type: none"> • Parking capacity • Maximum occupancy of the church – The applicant responded 189 persons • Church service times - The applicant responded Sunday and Saturday no later than 6:00 pm end time, Monday-Friday 7:00 pm to 9:30 pm • Increased traffic on Lisa Lane and O'Bannon Drive • Request a traffic signal be installed at O'Bannon Drive and Durango Drive • Height of the building – The applicant responded 17 feet |
| <i>Field Check</i> | |
| 03/05/09 | <p>A field check was conducted by staff at the subject property. The subject property was an undeveloped lot surrounded by a chainlink fence, which was noted as laying on the ground along the southern perimeter of the property. Several earth mounds and weeds were noted on site.</p> |

| <i>Details of Application Request</i> | |
|--|------|
| <i>Site Area</i> | |
| Gross Acres | 1.49 |

| Surrounding Property | Existing Land Use | Planned Land Use | Existing Zoning |
|-----------------------------|--------------------------|---------------------------------------|--|
| Subject Property | Undeveloped | DR (Desert Rural Density Residential) | U (Undeveloped) [DR (Desert Rural Density Residential) General Plan designation] |
| North | Undeveloped | DR (Desert Rural Density Residential) | U (Undeveloped) [DR (Desert Rural Density Residential) General Plan designation] |
| South | Single-Family Residences | DR (Desert Rural Density Residential) | R-E (Residence Estates) |
| East | Single-Family Residences | DR (Desert Rural Density Residential) | R-E (Residence Estates) |
| West | Single-Family Residences | R (Rural Density Residential) | R-1 (Single Family Residential) |

| <i>Special Districts/Zones</i> | <i>Yes</i> | <i>No</i> | <i>Compliance</i> |
|---|------------|-----------|-------------------|
| Special Area Plan | | X | N/A |
| <i>Special Districts/Zones</i> | <i>Yes</i> | <i>No</i> | <i>Compliance</i> |
| Special Purpose and Overlay Districts | | X | N/A |
| Trails | | X | N/A |
| Rural Preservation Overlay District | X | | Y* |
| Development Impact Notification Assessment | | X | N/A |
| Project of Regional Significance | | X | N/A |

* The subject property is located within a Rural Preservation Neighborhood 330-foot buffer area. The subject property meets the intent of the Rural Preservation Neighborhood 330-foot buffer area by providing an adequate buffer area, adequate screening and an orderly and efficient transition of uses.

DEVELOPMENT STANDARDS

Minimum development standards for property in the C-V (Civic) zoning district shall be established by the City Council in connection with the approval of a Rezoning application or administratively in connection with the approval of a site development plan. The standards shall be designed to ensure compatibility of the development with existing and planned development in the surrounding area. Any future development shall require the approval of a Site Development Plan Review.

| <i>Standard</i> | <i>Provided</i> |
|---|---|
| Min. Lot Size | 64,900 SF |
| Min. Lot Width | 201 Feet |
| Min. Setbacks <ul style="list-style-type: none"> • Front • Side • Corner • Rear | 156 Feet 81 Feet 37 Feet 70 Feet |
| Max. Lot Coverage | 7% |
| Max. Building Height | 18 Feet |
| Trash Enclosure | Screened, Enclosed |
| Mech. Equipment | Screened |

Pursuant to Title 19.08.060, the following Residential Adjacency Standards apply:

| <i>Residential Adjacency Standards</i> | <i>Required/Allowed</i> | <i>Provided</i> | <i>Compliance</i> |
|---|-------------------------|-----------------|-------------------|
| 3:1 proximity slope (North) | 45 Feet | 81 Feet | Y |
| Adjacent development matching setback (North) | 10 Feet | 81 Feet | Y |
| 3:1 proximity slope (East) | 54 Feet | 70 Feet | Y |
| Adjacent development matching setback (East) | 35 Feet | 70 Feet | Y |
| Trash Enclosure | 50 Feet | 63 Feet | Y |

| <i>Landscaping and Open Space Standards</i> | |
|--|--|
| <i>Standards</i> | <i>Provided</i> |
| Parking Area | 19 Trees (approx. 1 Tree/4 Spaces) |
| Buffer: Min. Trees | North: 13 Trees (approx. 1 Tree/23 Feet) East: 9 Trees (approx. 1 Tree/24 Feet) South: 8 Trees (approx. 1 Tree/27 Feet) West: 10 Trees (approx. 1 Tree/20 Feet) |
| TOTAL | 59 Trees |
| Min. Zone Width: <ul style="list-style-type: none"> • North • South • East • West | 15 Feet 20 Feet 15 Feet 15 Feet |
| Wall Height (North and East Perimeters) | 6-8 Feet (existing) |
| (South and West Perimeters) | 5 Feet (2 Feet Decorative Block, 3 Feet Wrought Iron) (proposed) |

Pursuant to Title 19.10, the following parking standards are proposed:

| <i>Parking Requirement</i> | | | | | | | |
|-----------------------------------|---|---|-----------------------|------------------------|-----------------------|--------------------------|---|
| <i>Use</i> | <i>Gross Floor Area or Number of Units</i> | <i>Required</i> | | <i>Provided</i> | | <i>Compliance</i> | |
| | | <i>Parking Ratio</i> | <i>Parking</i> | | <i>Parking</i> | | |
| | | | Regular | Handi-capped | Regular | Handi-capped | |
| Church/House of Worship | 154 fixed seats | One space per each four fixed seats, or one space per each 100 SF of non-fixed seating area in the gathering room | 37 | 2 | 71 | 4 | |
| TOTAL | | | 39 | | 75 | | Y |

ANALYSIS

- **Land Use and Zoning**

The subject site is located within the Southwest Sector of the General Plan and has a current designation of DR (Desert Rural Density Residential). A General Plan Amendment (GPA-33597) to change the designation to PF (Public Facilities) has been submitted in addition to a Rezoning request. The Public Facilities category allows for large governmental building sites and complexes, police and fire facilities, hospitals and rehabilitation sites, sewage treatment and storm water control facilities, and other uses considered public or semi-public such as libraries and public utility facilities.

A companion item to Rezone (ZON-33598) the site from U (Undeveloped) [DR (Desert Rural Density Residential) General Plan designation] to C-V (Civic) has also been submitted by the applicant. The C-V (Civic) district is intended to provide for existing public and quasi-public uses and for the development of new schools, libraries, public parks, public flood control facilities, police, fire, electrical transmission facilities, Water District, Nevada Power and other public utility facilities. In addition, the C-V (Civic) district may provide for any public or quasi-public use operated or controlled by any recognized religious, fraternal, veteran, civic or service organization. The C-V (Civic) district is consistent with the Public Facilities category of the General Plan.

The two zoning districts permissible within the existing DR (Desert Rural Density Residential) General Plan designation are U (Undeveloped) and R-PD2 (Residential Planned Development – Two Units per Acre), both of which cannot be utilized to facilitate the development the proposed Church/House of Worship use as the U (Undeveloped) zoning district functions as a temporary classification to be used until property is ready to be developed for a more intense, permanent use while the R-PD2 (Residential Planned Development – Two Units per Acre) is intended to provide for flexibility and innovation in residential development. As such, the applicant has requested a General Plan Amendment (GPA-33597) to change the General Plan designation from DR (Desert Rural Density Residential) to PF (Public Facilities) and a Rezoning (ZON-33598) from U (Undeveloped) [DR (Desert Rural Density Residential) General Plan designation] to C-V (Civic). The Church/House of Worship use proposed for the subject property through this Site Development Plan Review meets the intent of uses permitted within a C-V (Civic) zoning district and is compatible with the existing residential and civic developments in the area.

- **Site Plan**

The site is located at the northeast corner of O'Bannon Drive and Lisa Lane. The site plan indicates that a singular 4,576 square-foot building will be located near the center of the property and will be accessed from two proposed driveways from O'Bannon Drive. No vehicular access will be provided on Lisa Lane. In addition to the 4,576 square-foot building the site will feature an attached 875 square-foot porte cochere fronting O'Bannon Drive with enhanced concrete paving and a 367 square-foot mechanical yard surrounded by a six-foot high decorative screen wall adjacent to the west side of the proposed building. A screened trash enclosure constructed of decorative block will be located near the north side of the building, located 63 feet from the northern property line.

The two proposed 35-foot wide driveways fronting O'Bannon Drive will provide access to the internal 24-foot wide parking lot drive aisles and 15-foot wide one-way porte cochere drive aisle/drop off area. A total of 75 parking spaces will be provided where Title 19.04 requires 39 parking spaces. Four handicapped parking spaces will be provided where two are required, including two handicapped van accessible parking spaces. All parking spaces provided on site are 10 feet in width, which exceeds the minimum nine-foot requirement of Title 19.10. A continuous sidewalk will be provided around the perimeter of the proposed building for enhanced access.

- **Landscape Plan**

The landscape plan submitted depicts 15-foot landscape buffers along the north, east and west perimeters and a 20-foot buffer along the south perimeter. Trees will be spaced between 20 and 27 feet on-center around the perimeter of the property and will consist of a variety of 24-inch box desert and drought tolerant species. Parking lot landscape islands will be provided with 24-inch box trees at a ratio of one tree for every four parking spaces. Additionally, the applicant has provided parking lot screening per the requirements of Title 19.10.010(J)(11)(d), by placing a two-foot high masonry wall topped with three feet of wrought iron and 16-inch square pilasters set back 15 and 10 feet from the south and west perimeters, respectively. This screening fence will help to mitigate the appearance of the parking lot from the surrounding right-of-ways.

All landscape areas will be covered with three inches of decomposed gold granite which will be interspersed with 25, 200-300 pound granite boulders. A total of 62, 24-inch box trees, 214, five-gallon shrubs and 118, five-gallon ground covers will be provided on the 1.49 acre site. The quantity of plant material provided will ensure that the landscape of the subject site will achieve a mature look within a short period of time.

- **Elevations**

The elevations submitted depict a single-story, 18-foot tall structure reminiscent of a single-family ranch-style home. The proposed structure will utilize a three-tone color palette over a stucco-finish consisting of a tan body, a sand-colored base and brown-grey accent banding. No windows will be provided on any portion of this building. The roof will consist of cherrywood-colored slate tiles over a combination hip and gable structure. The south façade will contain a porte cochere and a double entry doorway highlighted by two decorative lanterns. An information board surrounded by decorative stucco banding will be located immediately east of the doorway, and two decorative insets will be located near the east edge of the building. The east elevation will consist solely of the three-tone color palette and decorative stucco banding, while the west elevation will consist of the same, interrupted by the 367 square-foot mechanical yard enclosure. The enclosure will be constructed of decorative block and be painted to match the body of the main structure.

The north elevation of the building will be a flat, plain stucco wall interrupted by two secondary doorways at each corner of the building. No decorative banding will be provided along this 76-foot wide façade, and no relief or elevation changes are proposed. While development standards within the C-V (Civic) zoning district are established by the City Council in connection with the approval of a Rezoning application or administratively in connection with the approval of a site development plan, staff notes that the lack of decorative detail or ornamentation along this façade is in direct conflict with the minimum standards of Title 19.08.050(D)(2)(a)(i), which states that box-like or single, monolithic forms must be relieved by variations on massing or articulation of facades, and buildings over fifty feet in length shall be relieved with a change of wall plane or by other means that provide strong shadow and visual interest.

- **Floor Plan**

The floor plan submitted depicts a single-story Church/House of Worship consisting of 4,576 square feet of interior space. An entry foyer, office and men's and women's restroom with a baby changing room will be located near the southern entrance of the building. The northern half of the building will consist of two small classrooms with a unisex restroom, a literature area and an auditorium with seating for 154 people. The auditorium will feature a small platform, storage room, and two exits along the north and south sides of the platform area.

FINDINGS

The following findings must be made for an SDR:

1. **The proposed development is compatible with adjacent development and development in the area;**

The proposed Church/House of Worship will be compatible with adjacent development and development in the area. The building has been designed to give the appearance of a large ranch-style single-family residence similar to others in the area, and the site will be sufficiently screened by a two-foot high masonry wall topped with three feet of wrought iron and 16-inch square pilasters.

- 2. The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;**

With the approval of the proposed General Plan Amendment (GPA-33597) to PF (Public Facilities) and Rezoning (ZON-33598) to the C-V (Civic) zone, the subject property will be in compliance the requirements for development within the C-V (Civic) zoning district.

- 3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

Access to the site is provided by two driveways accessing O'Bannon Drive, a 60-foot Local Street as designated by the Master Plan of Streets and Highways. The site is also adjacent to Lisa Lane, a 60-foot Local Street as designated by the Master Plan of Streets and Highways; however, no access to the subject property will be provided from Lisa Lane. The traffic generated by this use will have some impact on the surrounding residential area; however, the proposed Church/House of Worship has a maximum occupancy of 189 persons with seating for 154 persons, and will not negatively impact the surrounding neighborhood.

- 4. Building and landscape materials are appropriate for the area and for the City;**

The building materials consisting of a stucco finished building topped with a slate roof will be similar to other single-family residential structures in the area, which will assist in blending this proposed structure in with the surrounding neighborhood. The landscape materials consist of desert and drought-tolerant species which are common throughout the City of Las Vegas.

- 5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;**

The building elevations and design characteristics are not unsightly or obnoxious in appearance. Staff notes that the north façade of the building is very plain in appearance and would benefit from a change of relief or architectural banding; however, the overall appearance of the proposed building will be harmonious and compatible with development in the area.

6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.

This proposal will not impact public health, safety or welfare since the development will be subject to the International Building Code and City inspections during construction.

PLANNING COMMISSION ACTION

There were three speakers in opposition of this project at the Planning Commission Meeting. The applicant indicated hours of operation being 9:15 a.m. to 9:30 p.m. with Saturday and Sunday until 6:00 p.m.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 2

SENATE DISTRICT 8

NOTICES MAILED 293 by City Clerk

APPROVALS 2

PROTESTS 14